

JOURNAL OF THE SENATE

WEDNESDAY, MAY 27, 1931

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment.

The President in the chair.

The roll was called and the following Senators answered to their names:

Mr. President; Senators Adams, Anderson, Andrews, Bell, Bradshaw, Butler, Caro, Chowning, Clarke, Council, Dell, English, Futch, Gary, Getzen, Gomez, Harris, Harrison, Hilburn, Hinely, Hodges, Howell, Irby, Johns, King, Knabb, Lewis, Neel, Parker, Parrish, Stewart, Swearingen, Taylor, Turner, Wagg, Watson, Young—38.

A quorum present.

Prayer by the Rev. Ray Y. Walden.

The reading of the Journal was dispensed with.

The Journal of Tuesday, May 26, was corrected, and as corrected, was approved.

The Senate Journal of May 26, 1931, was corrected as follows:

On page 15, column 1, immediately after the words "House Bill No. 17," strike out lines 18 to 22, inclusive, and insert in lieu thereof the following:

A bill to be entitled An Act relating to the redemption of lands from tax sale: providing that lands may be redeemed prior to November first of any year without payment of taxes for the current year, and providing for sale of such lands for non-payment of taxes for current year when redeemed; and providing for allowance of discount on payment of current taxes.

And as corrected was approved.

The Senate Journal of May 16, 1931, was corrected as follows:

On page 17, column 2, line 1, between the word "and" and the figures "582" insert the following: "Senate Bill No."

REPORTS OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Turner, Chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 27, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

Your Joint Committee on Enrolled Bills, to whom was referred:

(Senate Bill No. 732):

An Act to abolish the civil court of record in and for Hillsborough County, Florida, and providing for the transfer of all cases pending in said court upon this Act becoming effective.

Also—

(Senate Bill No. 731):

An Act to abolish the court of crimes in and for Hillsborough County, Florida, and providing for the transfer of all cases pending in said court upon this Act becoming effective.

Also—

(Senate Bill No. 729):

An Act fixing the dignity of liens imposed, or to be imposed, by the City of Jacksonville for assessments made, or to be made, by said city.

Also—

(Senate Bill No. 728):

An Act authorizing the City of Jacksonville to assess, levy and collect a special tax for advertising purposes; and providing for a referendum.

Also—

(Senate Bill No. 662):

An Act to validate an election held in the City of Tampa on the 6th day of December, A. D. 1927, pursuant to provisions of Chapter 13455, Laws of Florida, 1927, at which election a revised charter of the City of Tampa was adopted, and to validate said charter.

Also—

(Senate Bill No. 653):

An Act to repeal Chapter 11924, Laws of Florida, Acts of 1927, entitled "An Act providing for the payment of the members of the Board of County Commissioners in counties having a population of between seven thousand, nine hundred and sixteen (7,916) and eight thousand (8,000), according to the last State census.

Also—

(Senate Bill No. 636):

An Act fixing the compensation of members of the Board of County Commissioners in counties in the State of Florida having a population of not less than thirty-five thousand (35,000), and not more than forty-five thousand (45,000), according to the last preceding Federal census.

Also—

(Senate Bill No. 635):

An Act providing for the redemption of lands sold for unpaid taxes in the City of New Smyrna and providing for the rate of interest to be paid upon the redemption of such lands sold for unpaid taxes during the year 1930 and all subsequent years.

Also—

(Senate Bill No. 634):

An Act vesting the City Auditor and Clerk of the City of New Smyrna, in Volusia County, Florida, as registration officer of said city with all power and authority, relative to municipal elections, as is vested in county supervisors of registration relative to State and County elections.

Also—

(Senate Bill No. 475):

An Act granting a pension to Mrs. A. E. Barton of Williston, Florida.

Also—

(Senate Bill No. 628):

An Act providing the manner of selling and disposing of any public utilities owned by the City of New Smyrna, in Volusia County, Florida.

Also—

(Senate Bill No. 725):

An Act legalizing, ratifying, validating and confirming all tax levies and tax assessments heretofore made by the Town of Montverde, Lake County, Florida, and legalizing, ratifying, validating and confirming all the acts and proceedings had or taken by each and all of the public officials of the Town of Montverde, Lake County, Florida, in levying and assessing the taxes of said town and in making and preparing tax assessment rolls thereof.

Have carefully examined same, and find same correctly enrolled and herewith present the same for the signatures of the President and Secretary of the Senate.

Very respectfully,

J. W. TURNER,

Chairman of the Joint Committee on
Enrolled Bills on the part of the Senate.

The bills contained in the above report were thereupon duly signed by the President and Secretary of the Senate in open session, and ordered referred to the Chairman of the Committee on Enrolled Bills on the part of the Senate to be conveyed to the House for the signatures of the Speaker and Chief Clerk thereof.

Also—

Senator Turner, Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 27, 1931.

Hon. Pat Whitaker,

President of the Senate.

Sir:

Your Joint Committee on Enrolled Bills, to whom was referred:

(House Bill No. 449):

An Act approving, legalizing, validating and confirming certain certificates of indebtedness for sidewalk construction in the City of Graceville, Florida, and the ordinances in the said certificates referred to, declaring and finding the cost of and charge for said sidewalk construction to be reasonable and the said certificates to be valid liens upon the real estate therein described.

Also—

(House Bill No. 1030):

An Act relating to the Status and the Exclusion of Certain Lands from the Corporate Limits of the Town of Boynton Beach, Palm Beach County, Florida.

Also—

(House Bill No. 778):

An Act relating to the City of West Palm Beach, in Palm Beach County, Florida, and to amend Sections 5, 25, 28, 36, 37, 41, 103, 104, 105, 109, 112, 113, 117 and 126 of Chapter 9945 Acts of Florida, 1923, entitled: "An Act to abolish the present municipality of the City of West Palm Beach in Palm Beach County, Florida; to create and establish a new municipality to be known as City of West Palm Beach, in Palm Beach County, Florida; to legalize and validate the ordinances of said City of West Palm Beach and official acts thereunder, and to adopt the same as the ordinances of said City of West Palm Beach; to prescribe the time within which suits can be brought against said city for notice thereof; and to fix and to provide the territorial limits, jurisdiction and powers of said City of West Palm Beach, in Palm Beach County, Florida, and the jurisdiction and powers of its officers," as the same was amended by Chapter 11310 Laws of Florida, 1925; to repeal Section 68 of said Act; to create additional powers to the City of West Palm Beach in Palm Beach County, Florida; to provide a referendum of each Section of this Act; and for other purposes.

Have carefully examined same, and find same correctly enrolled and herewith present the same for the signatures of the President and Secretary of the Senate.

Very respectfully,

J. W. TURNER,

Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

The bills contained in the above report were thereupon duly signed by the President and Secretary of the Senate in open session, and ordered referred to the Chairman of the Committee on Enrolled Bills on the Part of the Senate to be conveyed to the House for the signatures of the Speaker and Chief Clerk thereof.

REPORTS OF COMMITTEE ON ENGROSSED BILLS

Senator Watson, Chairman of the Committee on Engrossed Bills, submitted the following report:

Senate Chamber,

Tallahassee, Florida, May 27, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred (with amendments) after third reading—

Senate Bill No. 396:

A bill to be entitled An Act to amend Chapter 9300, Acts of the Legislature of 1923, entitled "An Act to encourage the co-operative marketing of farm products and to authorize the incorporation of Co-operative Marketing Associations."

Have carefully examined same and find same correctly engrossed, and return same herewith.

Very respectfully,

J. W. WATSON,

Chairman of Committee.

And Senate Bill No. 396, contained in the above report, was referred to the Committee on Enrolled Bills.

Also—

Senator Watson, Chairman of the Committee on Engrossed Bills, submitted the following report:

Senate Chamber,
Tallahassee, Florida, May 27, 1931.

Hon. Pat Whitaker,

President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred (with amendments) after third reading—

Senate Bill No. 224:

A bill to be entitled An Act amending Chapter 7462 of the Acts of Florida of 1917, and Chapter 8672 of the Acts of Florida of 1921, relating to St. Johns River Bridge, and providing for reimbursing the County Commissioners of Duval County, Florida, on account of expenditures made for engineering services and for investigations and surveys preparatory to holding an election pursuant to Chapters 14015 and 14018 of the Special Acts of 1929; providing for reimbursing said County Commissioners for expenditures made and obligations incurred in the matter of constructing an additional approach or approaches to the St. Johns River Bridge in Duval County, Florida.

Have carefully examined same, and find same correctly engrossed, and return same herewith.

Very respectfully,

J. W. WATSON,

Chairman of Committee.

And Senate Bill No. 224, contained in the above report, was ordered to be certified to the House of Representatives.

Also—

Senator Watson, Chairman of the Committee on Engrossed Bills, submitted the following report:

Senate Chamber,

Tallahassee, Florida, May 27, 1931.

Hon. Pat Whitaker,

President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred (with amendments) after third reading—

Senate Bill No. 54:

A bill to be entitled An Act to provide a simplified method for allowing and disallowing claims for preference in the distribution of the assets of insolvent banking institutions in the State of Florida, and providing for a form of judicial proceedings for adjudicating and determining the same, and making the provisions of this Act relative to judicial proceedings applicable to the determination of all claims for preference which are not in actual litigation at the time this Act takes effect.

Senate Bill No. 567:

A bill to be entitled An Act for the relief of S. J. Hewitt, individually and as tax collector of Hamilton County, Florida, and to reimburse said S. J. Hewitt individually for moneys paid over to Hamilton County, which were deposited in the Bank of Jennings on its closing.

Have carefully examined same, and find same correctly engrossed, and return same herewith.

Very respectfully,

J. W. WATSON,

Chairman of Committee.

And Senate Bills No's. 54 and 567, contained in the above report, were ordered to be certified to the House of Representatives.

REPORTS OF COMMITTEES

Senator Gomez, Chairman of the Committee on Cities and Towns, submitted the following report:

Senate Chamber,

Tallahassee, Florida, May 27, 1931.

Hon. Pat Whitaker,

President of the Senate.

Sir:

Your Committee on Cities and Towns, to whom was referred:

Senate Bill No. 807:

A bill to be entitled An Act declaring the maintaining and operation by municipalities to be a governmental function and absolving said municipalities from liability occasioned thereby; giving fire apparatus right-of-way over other vehicles while responding to a fire alarm; constituting chief of fire department a peace officer; providing for designation of a

fire area adjacent to fires; and providing for a penalty.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

ARTHUR GOMEZ,

Chairman of Committee.

And Senate Bill No. 807, contained in the above report, was placed on the Calendar of Bills on second reading.

Also—

Senator Wagg, Chairman of the Committee on Finance and Taxation, submitted the following report:

Senate Chamber,

Tallahassee, Florida, May 27, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

Your Committee on Finance and Taxation, to whom was referred:

Senate Bill No. 852:

A bill to be entitled An Act to authorize the acceptance and exchange of bonds or delinquent interest coupons, or other delinquent obligations of counties, districts, municipalities, at par, in redemption of lands from tax sales and in payment of other evidences of delinquent taxes due to same.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

ALFRED H. WAGG,

Chairman of Committee.

And Senate Bill No. 852, contained in the above report, was placed on the Calendar of Bills on second reading.

Also—

Senator Harris, Chairman of the Committee on Organized Labor, submitted the following report:

Senate Chamber,

Tallahassee, Florida, May 27, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

Your Committee on Organized Labor, to whom was referred:

Senate Bill No. 845:

A bill to be entitled An Act relating to the rate of wages for laborers and mechanics employed on public buildings of the State of Florida by contractors and sub-contractors, and for other purposes.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

S. D. HARRIS,

Chairman of Committee.

And Senate Bill No. 845, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Chowning moved that the rules be waived and the Senate do now take up the consideration of Senate Bill No. 800, out of its order.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 800:

A bill to be entitled An Act to create and incorporate a special taxing district in Volusia County, State of Florida, to be known as New Smyrna Inlet District, embracing all that territory in Volusia County, Florida, designated as "Beginning on the Atlantic Ocean Beach at a point which is the intersection of the line of mean low tide with the North line of Township Sixteen (16) South Range Thirty-three (33) East; thence westerly following the North line of Township Sixteen (16) South to the Northwest corner of Township Sixteen (16) South Range Thirty-two (32) East; thence southerly along the West line of Range Thirty-two (32) East to the Southwest corner of Township Seventeen (17) South Range Thirty-two (32) East; thence easterly along the North line of Township Eighteen (18) South to the Northeast corner of Township Eighteen (18) South Range Thirty-two (32) East; thence southerly along the West line of Range Thirty-three (33) East to the Southeast corner of Township Eighteen (18) South Range Thirty-two (32) East; thence easterly along the South line of Township Eighteen (18) South to the Northeast corner of Section Four (4), Township Nineteen (19), South

Range Thirty-three (33) East; thence southerly along the East line of Sections Four (4), Nine (9), Sixteen (16), Twenty-one (21), Twenty-eight (28), and Thirty-three (33) of Township Nineteen (19) South Range Thirty-three (33) East to the South line of Township Nineteen (19) South; thence easterly along the South line of Township Nineteen (19) South to a point on the Atlantic Ocean Beach where the South line of said Township intersects the line of mean low tide; thence northwesterly along the Atlantic Ocean Beach following the line of mean low tide to and crossing Ponce DeLeon Inlet (formerly Mosquito Inlet) and thence continuing along the line of mean low tide on the Atlantic Ocean Beach northwesterly to the point of beginning; to prescribe and define the boundaries of said district and to provide for the government and administration of the same and to prescribe and define the powers and purposes of said district and of the Board of Trustees thereof; to authorize said Board to improve, construct and maintain an Inlet in said district to connect the waters of Indian River North and Halifax River with the waters of the Atlantic Ocean; and to authorize said board to improve, construct and maintain a channel through the Inlet connecting the waters of the Indian River North and Halifax River with the waters of the Atlantic Ocean known and designated as Ponce DeLeon Inlet (formerly Mosquito Inlet), and all other works necessary and proper in connection therewith; to empower said board to levy and provide for the collection of taxes upon all the taxable property in said district for said purposes, and other purposes authorized by this Act and to authorize said board to issue and sell bonds to procure money to carry out the provisions of this Act, and to prevent injury to any works constructed under this Act and generally to create and provide the powers of such district and of said trustees for the construction and maintenance of an Inlet in said district connecting the waters of Indian River North and Halifax River with the waters of the Atlantic Ocean; and to provide for the election of the trustees to administer this Act, and naming and designating the trustees to administer this Act until the holding of the first election under this Act.

Was taken up.

Senator Chowning moved that the rules be waived and Senate Bill No. 800 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 800 was read a second time by its title only.

Senator Chowning offered the following amendment to Senate Bill No. 800:

In Section 11, line 5 (typewritten bill), strike out the word "1931," and insert in lieu thereof the following: "1933."

Senator Chowning moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

Senator Chowning moved that the rules be further waived and Senate Bill No. 800, as amended, be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 800, as amended, was read a third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Anderson, Andrews, Bell, Bradshaw, Butler, Caro, Chowning, Clarke, Council, Dell, English, Futch, Gary, Getzen, Gomez, Harris, Harrison, Hilburn, Hinely, Hodges, Howell, Irby, Johns, King, Knabb, Lewis, Neel, Parker, Parrish, Stewart, Swearingen, Taylor, Turner, Wagg, Watson, Young—38.

Nays—None.

So the bill passed, as amended, title as stated.

And Senate Bill No. 800 was referred to the Committee on Engrossed Bills.

Senator Harris moved that the rules be waived and all the bills passed last night be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote.

And it was so ordered.

Senator Gary moved that the rules be waived and Senate Bill No. 368 be made a special and continuing order for 11:30 o'clock A. M. Friday, May 29, 1931.

Which was agreed to by a two-thirds vote.

And it was so ordered.

Senator Adams moved that the rules be waived and the

Senate do now take up the consideration of House Bill No. 910 out of its order.

Which was not agreed to.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Caro—
Senate Bill No. 866:

A bill to be entitled An Act to amend Section one of Chapter 14308, Laws of Florida, entitled: "An Act in relation to the powers of the City of Pensacola in borrowing money in anticipation of taxes levied and remaining unpaid in any fiscal year; in issuing refunding bonds for the purpose of paying certificates of indebtedness heretofore issued in anticipation of the collection of back taxes, and in remitting or reducing penalties and interest on tax liens and tax sale certificates."

Which was read the first time by its title only.

Senator Caro moved that the rules be waived and Senate Bill No. 866 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 866 was read a second time by its title only.

Senator Caro moved that the rules be further waived and Senate Bill No. 866 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 866 was read a third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Anderson, Andrews, Bell, Bradshaw, Butler, Caro, Chowning, Clarke, Council, Dell, English, Futch, Gary, Getzen, Gomez, Harris, Harrison, Hilburn, Hinely, Hodges, Howell, Irby, Johns, King, Knabb, Lewis, Neel, Parker, Parrish, Stewart, Swearingen, Taylor, Turner, Wagg, Watson, Young—38.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives immediately, the rule having been waived.

By Senator Getzen—
Senate Bill No. 867:

A bill to be entitled An Act to amend Section 2601, Revised General Statutes of Florida (Section 4248, Compiled General Laws of 1927), relating to service of process on co-partnerships and to provide for such service on unincorporated, voluntary associations.

Which was read the first time by its title only and referred to the Committee on Judiciary "A".

By Senator Neel—
Senate Bill No. 868:

A bill to be entitled An Act for the relief of Mrs. Mary Moore by reason of damages sustained and inflicted upon her property by the State Road Department of the State of Florida.

Which was read the first time by its title only and referred to the Committee on Claims.

By Senator Whitaker—
Senate Bill No. 869:

A bill to be entitled An Act authorizing the Clerk of the Supreme Court of the State of Florida to supply the office of the Attorney General of said State copies of the reports of the decisions of the Supreme Court.

Which was read the first time by its title only.

Senator Anderson moved that the rules be waived and Senate Bill No. 869 be read a second time in full.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 869 was read a second time in full.

Senator Anderson moved that the rules be further waived and Senate Bill No. 869 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 869 was read a third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Anderson, Andrews, Bell, Bradshaw, Caro, Chowning, Clarke, Council, Dell, English, Gary, Getzen, Gomez, Harris, Harrison, Hilburn, Hinely, Hodges, Howell, Irby, Johns, King, Knabb, Lewis, Neel, Parker, Parrish, Swearingen, Taylor, Turner, Wagg, Watson, Young—35.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives under the rule.

By Senator Whitaker—
Senate Bill No. 870:

A bill to be entitled An Act relating to the release of surety or sureties on bonds of guardians, administrators, executors or other fiduciaries and providing a manner in which such release may be obtained and providing for the giving of a new bond and an accounting by such guardians, administrators, executors or other fiduciaries and providing for the removal of such guardians, administrators, executors or other fiduciaries for failure to give a new bond and make an accounting and providing for the appointment of new guardians, administrators, executors or other fiduciaries.

Which was read the first time by its title only and referred to the Committee on Judiciary "B".

By Senator Whitaker—
Senate Bill No. 871:

A bill to be entitled An Act to amend Section 780 of the Revised General Statutes of Florida, A. D. 1920, being Section 1004 Compiled General Laws, 1927, relating to the duty of clerk of the circuit court and the Comptroller of the State of Florida as to redemption of land sold for taxes, and the distribution of moneys, both principal and interest, received by reason of such redemption.

Which was read the first time by its title only and referred to the Committee on Judiciary "A".

By Senator Watson—
Senate Bill No. 872:

A bill to be entitled An Act providing that acknowledgments of instruments to be recorded in the State of Florida may be taken before Commissioners of Deeds, and any other officers authorized under the laws of the various States of the United States of America, to take such acknowledgments; and also validating and giving legal effect to any instrument now appearing of record acknowledged before such Commissioners of Deeds and other officers authorized under the laws of the various States of the United States of America to take acknowledgments.

Which was read the first time by its title only and referred to the Committee on Judiciary "B".

By the Committee on Education—
Senate Bill No. 873:

A bill to be entitled An Act to define who shall be dealers in turpentine gum, gum spirits of turpentine, steam distilled spirits of turpentine, destructively distilled spirits of turpentine, wood spirits of turpentine and any other kinds of spirits of turpentine, gum rosin, wood rosin and all other kinds of rosin or any of said products, being otherwise known as naval stores, produced or manufactured in, or shipped into this State, and to levy a tax upon such dealers buying or selling or moving said products, to provide for the inspection and grading of said products, to provide for reports of sales, shipments, consignments or of the moving and transporting of said products and to provide means for the enforcement of and penalties for the violation of the provisions of this Act.

Which was read the first time by its title only and placed on the Calendar of Bills on second reading without reference.

By Senator Futch—
Senate Bill No. 874:

A bill to be entitled An Act to provide for inspection and filing of analyses of lubricating oils, to empower the commissioner of Agriculture to define methods of analysis and promulgate regulations; to authorize the collection of an inspection fee; to declare a rule of prima facie evidence, to prevent fraud or misrepresentation in the distribution or sale of lubricating oil; to provide for methods of enforcement of this Act and penalties for the violation thereof.

Which was read the first time by its title only and referred to the Committee on Judiciary "C".

By Senator Watson—
Senate Bill No. 875:

A bill to be entitled An Act relating to commissions of County Assessors of Taxes, assessing special taxes and special tax district taxes in counties having a population of less than 150,000 and less than 100,000.

Which was read the first time by its title only.

Senator Watson moved that the rules be waived and Senate Bill No. 875 be read a second time in full.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 875 was read a second time in full.

Senator Watson moved that the rules be further waived and Senate Bill No. 875 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 875 was read a third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Anderson, Andrews, Bell, Bradshaw, Butler, Caro, Chowning, Clarke, Council, Dell, English, Futch, Gary, Getzen, Gomez, Harris, Harrison, Hilburn, Hinely, Hodges, Howell, Irby, Johns, King, Knabb, Lewis, Neel, Parker, Parrish, Stewart, Swearingen, Taylor, Turner, Wagg, Watson, Young—38.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives under the rule.

By Senator Watson—

Senate Bill No. 876:

A bill to be entitled An Act to amend Section Seven A (7A) of the charter of the City of Coral Gables, approved May 8, 1929, and entitled: "An Act to abolish the present municipal government of the City of Coral Gables, Dade County, Florida, and create, establish and organize a municipality to be known and designated as the City of Coral Gables, and to define its territorial boundaries, and to provide for taxes, government, jurisdiction, powers and privileges."

Which was read the first time by its title only.

The following proof of publication was attached to Senate Bill No. 876 when it was introduced in the Senate:

AFFIDAVIT OF PROOF OF PUBLICATION

STATE OF FLORIDA, COUNTY OF DADE.

Before the undersigned authority personally appeared G. N. Shaw, who on oath does solemnly swear (or affirm) that he has knowledge of the matters stated herein; that a notice stating the substance of a contemplated law or proposed bill relating to An Act to amend Section Seven A (7A) of the Charter of the City of Coral Gables, approved May 8, 1929, same being entitled: "An Act to amend Section Seven A (7A) of the Charter of the City of Coral Gables, approved May 8, 1929, and entitled: 'An Act to abolish the present municipal government of the City of Coral Gables, Dade County, Florida, and create, establish and organize a municipality to be known and designated as the City of Coral Gables, and to define its territorial boundaries, and to provide for taxes, government, jurisdiction, powers and privileges,'" has been published at least thirty days prior to this date, by being printed in the issue of 22nd of April, A. D. 1931, of "The Miami Herald," a newspaper published in Dade County, Florida; that a copy of the notice that has been published as aforesaid and also this affidavit of proof of publication are attached to the proposed bill or contemplated law, and such copy of the notice so attached is by reference made a part of this affidavit.

G. N. SHAW.

Sworn to and subscribed before me this twenty-first day of May, A. D. 1931.

(SEAL)

FLORENCE STITH,

Notary Public, State of Florida.

My commission expires Dec. 19, 1933.

Senator Watson moved that the rules be waived and Senate Bill No. 876 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 876 was read a second time by its title only.

Senator Watson moved that the rules be further waived and Senate Bill No. 876 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 876 was read a third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Anderson, Andrews, Bell, Bradshaw, Butler, Caro, Chowning, Clarke, Council, Dell, English, Futch, Gary, Getzen, Gomez, Harris, Harrison, Hilburn, Hinely, Hodges, Howell, Irby, Johns, King, Knabb, Lewis, Neel, Parker, Parrish, Stewart, Swearingen, Taylor, Turner, Wagg, Watson, Young—38.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives under the rule.

MESSAGE FROM THE GOVERNOR

The following communication from the Governor was received:

May 27th, 1931

Honorable Pat Whitaker,
President of the Senate,
Capitol Building.

Sir:

I have the honor to inform you that on May 26th, A. 1931, I approved the following Act, which originated in your Honorable Body, and have caused the same to be filed in office of the Secretary of State:

(Senate Bill No. 757):

Relating to Volusia County.

Very Respectfully,

DOYLE E. CARLTON,
Governor.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was received and read:

House of Representatives,
Tallahassee, Fla., May 27, 1931

Hon. Pat Whitaker,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform Senate that the House of Representatives has passed—

House Bill No. 1289:

A bill to be entitled An Act authorizing and empowering City of Marianna to bid in and purchase any property under order of Court in any suit to foreclose the lien of tax or special assessment levied and assessed by said City ratifying, validating and confirming any such bid and purchase heretofore made, and declaring the effect thereof; authorizing and empowering said City to sell and dispose lease or contract concerning any such property so acquired and providing the method and manner of so doing and validating, ratifying and confirming any such sale, deed, lease or contract heretofore made.

House Bill No. 1273:

A bill to be entitled An Act fixing the compensation of members of the Board of Public Instruction in the counties of the State of Florida which have or may hereafter have a population of more than seventy thousand and not more than one hundred thousand inhabitants according to the last preceding State or Federal census.

And respectfully requests the concurrence of the Senate therein.

Very Respectfully,

FRANK WEBB,

Chief Clerk, House of Representatives

And House Bill No. 1289, contained in the above message was read the first time by its title.

Senator Lewis moved that the rules be waived and H. B. No. 1289 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1289 was read a second time by its title only.

Senator Lewis moved that the rules be further waived and House Bill No. 1289 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 1289 was read a third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Anderson, Andrews, Bell, Bradshaw, Butler, Caro, Chowning, Clarke, Council, Dell, English, Futch, Gary, Getzen, Gomez, Harris, Harrison, Hilburn, Hinely, Hodges, Howell, Irby, Johns, King, Knabb, Lewis, Neel, Parker, Parrish, Stewart, Swearingen, Taylor, Turner, Wagg, Watson, Young—38.

Nays—None.

So the bill passed, title as stated.

And the action of the Senate was ordered to be certified to the House of Representatives under the rule.

And House Bill No. 1273, contained in the above message, was read the first time by its title and placed on the Calendar of Local Bills on second reading.

Also—

The following message from the House of Representatives was received and read:

House of Representatives,
Tallahassee, Fla., May 27, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed, with amendment—

Committee Substitute for Senate Bill No. 334:

A bill to be entitled An Act authorizing the construction and operation of a plant for the production of anti-hog cholera serum and hog cholera virus by the Board of Commissioners of State Institutions under the technical supervision of the State Live Stock Sanitary Board; providing for the location of such plant on State lands at a place to be designated by said Board or Commissioners of State institutions; providing for furnishing and distributing anti-hog cholera serum and hog cholera virus through the State Live Stock Sanitary Board; providing for the purchase of anti-hog cholera serum and hog cholera virus under certain conditions; providing an appropriation for the erection of such plant and for carrying out the purposes of this Act, and providing for a fund to be known as the serum fund.

Which amendment is as follows:

In Section 7, line 1, strike out the words Sixty Thousand and insert in lieu thereof the following: Fifty Thousand.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,

Chief Clerk, House of Representatives.

And Committee Substitute for Senate Bill No. 334, contained in the above message, was read by its title.

Senator Hinely moved that the Senate do concur in House Amendment No. 1 to Committee Substitute for Senate Bill No. 334.

Which was agreed to.

And the Senate concurred in House amendment No. 1 to Committee Substitute for Senate Bill No. 334.

And Committee Substitute for Senate Bill No. 334 was referred to the Committee on Engrossed Bills.

And the action of the Senate was ordered to be certified to the House of Representatives under the rule.

Also—

The following message from the House of Representatives was received and read:

House of Representatives,
Tallahassee, Fla., May 27, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Senator Johns—

Senate Bill No. 117:

A bill to be entitled An Act for the relief of G. W. Alderman, individually, and as Clerk of the Circuit Court of Bradford County, Florida.

By Senator Gomez—

Senate Bill No. 471:

A bill to be entitled An Act relating to the Organized Militia of the State of Florida.

By Senator Council—

Senate Bill No. 126:

A bill to be entitled An Act to amend Chapter 1899 of the Revised General Statutes of Florida of 1920, being Section 4597 of the Compiled General Laws of Florida of 1927, relating to the fees and compensation of constables.

Very respectfully,

FRANK WEBB,

Chief Clerk, House of Representatives.

Senate Bills No's. 117, 471 and 126 contained in the above

message, were read by their title and referred to the Committee on Enrolled Bills.

Senator Hodges moved that the rules be waived and the Senate do now take up the consideration of Senate Bill No. 413 out of its order.

Which was not agreed to.

SPECIAL ORDERS

Senate Bill No. 319 was taken up and the consideration of same was informally passed, retaining its place on the Calendar as a Special and Continuing Order.

Senate Bill No. 269:

A bill to be entitled An Act relating to the licensing of motor vehicle operators and chauffeurs and to the liability of certain persons for negligence in the operation of motor vehicles on the public highways and to make uniform the laws relating thereto.

Was taken up and read a third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Caro, Chowning, Dell, Gary, Harris, Harrison, Hodges, Parrish, Turner, Wagg—11.

Nays—Senators Adams, Andrews, Bradshaw, Butler, Clarke, Council, English, Futch, Gomez, Hinely, Howell, Irby, Knabb, Lewis, Neel, Parker, Taylor, Watson—18.

So the bill failed to pass.

Senate Bill No. 349 was taken up in its order and the consideration of same was informally passed retaining its place on the Calendar as a special and continuing order.

Senate Bill No. 275:

A bill to be entitled An Act authorizing and charging the Trustees of the Internal Improvement Fund with the supervision of State lands not vested in some other State agency; authorizing the Trustees to protect said lands and to bring certain suits in connection therewith; authorizing the State of Florida to join with the said Trustees in certain matters relating to said lands; and charging prosecuting officers with certain duties in connection with said lands.

Was taken up in its order and read a second time in full.

Senator Young moved that the rules be further waived and Senate Bill No. 275 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 275 was read a third time in full.

Senator Young moved that the rules be waived, the further consideration of Senate Bill No. 275 be informally passed and the bill retain its place on the Calendar as a Special and Continuing Order.

Which was agreed to by a two-thirds vote.

And it was so ordered.

Senate Bills No's 279, 501 and 502 were taken up in their order and the consideration of same was informally passed, retaining their place on the Calendar as Special and Continuing Order.

UNFINISHED BUSINESS

Senate Bill No. 413:

A bill to be entitled An Act in relation to taxation and to the assessment of property for taxation; to provide for the equalization of taxes; creating a state tax commission, and prescribing its jurisdiction, powers and duties and how they should be exercised; fixing the compensation of its members; regulating and prescribing the duties of other officials of the several counties and of the state in relation to the state tax commission; fixing the compensation of the state tax commission, and making an appropriation for its compensation and expense; and repealing Chapter 8584, acts of 1921, relating to the equalization of taxes.

Which was pending at the hour of recess on May 15th, was taken up.

The consideration of the motion to adopt the following amendment offered by Senator Parrish to Senate Bill No. 413, which was pending at the hour of recess as above stated was resumed:

In Section 18, line 4 (printed bill), strike out the words "hundred thousand" and insert in lieu thereof the following: "Twenty seven thousand five hundred."

The consideration of the motion to adopt the following amendment by Senator Wagg to the amendment offered by

Senator Parrish to Senate Bill No. 413 which was pending at the hour of recess as above stated was resumed:

Strike out the words 27,500 and insert in lieu thereof the following: 70,000.

The question was put on the adoption of the amendment to the amendment.

Which was agreed to.

And the amendment to the amendment was adopted.

The question then reverted to the adoption of the amendment as amended.

Which was agreed to.

And the amendment as amended was adopted.

Senator Parrish offered the following amendment to Senate Bill No. 413:

In Section 3, line 24 (printed bill), strike out the words beginning "the Chairman shall" to the word "each" in line 31, and insert in lieu thereof the following: The members of the commission shall serve without compensation except that. Senator Parrish moved the adoption of the amendment.

Which was not agreed to.

Senator Gomez offered the following amendment to Senate Bill No. 413:

In Section 3, line 4, after the word "Senate" insert the following: The Governor shall be and is hereby constituted ex-officio member of said Commission.

Senator Gomez moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

Senator Hodges moved that the rules be further waived and Senate Bill No. 413, as amended, be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 413, as amended, was read a third time in full.

Upon the passage of the bill, as amended, the roll was called and the vote was:

Yeas—Senators Adams, Caro, Chowning, Futch, Hilburn, Hinely, Hodges, Howell, Irby, King, Lewis, Taylor, Wagg, Young—14.

Nays—Mr. President; Senators Anderson, Andrews, Bell, Bradshaw, Butler, Clarke, Council, Dell, English, Gary, Getzen, Harris, Harrison, Johns, Knabb, Neel, Parker, Parrish, Stewart, Turner, Watson—22.

So the bill failed to pass.

By unanimous consent Senator Getzen withdrew Senate Bills No.'s 143 and 442.

Senate Bill No. 639 was taken up and the consideration of same was informally passed, retaining its place on the Calendar as a special and continuing order.

SENATE BILLS ON THIRD READING

Senate Bill No. 624 was taken up in its order and the consideration of same was informally passed.

Senate Bill No. 151:

A bill to be entitled "An Act declaring, designating and establishing State Road Number Three, and to provide for the construction in such system of highways."

Was taken up in its order and read a third time in full.

Pending the consideration of the passage of Senate Bill No. 151 Senator Getzen moved that the hour of recess be extended 10 minutes.

Which was not agreed to.

Pending the consideration of the passage of Senate Bill No. 151 and the hour of recess having arrived, a point of order was called and the Senate stood recessed at 1:00 o'clock P. M., until 3:00 o'clock P. M., this day.

AFTERNOON SESSION

The Senate convened at 3:00 o'clock P. M., pursuant to recess order.

The President in the chair.

The roll was called and the following Senators answered to their names.

Mr. President; Senators Adams, Anderson, Andrews, Bell, Bradshaw, Butler, Caro, Chowning, Clarke, Council, Dell, English, Futch, Gary, Getzen, Gomez, Harris, Harrison, Hilburn, Hinely, Hodges, Howell, Irby, Johns, King, Knabb, Lewis, Neel, Parker, Parrish, Stewart, Swearingen, Taylor, Turner, Wagg, Watson, Young—38.

A quorum present.

By permission the following Committee Reports were received:

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Turner, Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 27, 1931.

Hon. Pat Whitaker,

President of the Senate.

Sir:

Your Joint Committee on Enrolled Bills, to whom was referred:

(Senate Bill No. 602):

An Act providing for a sum of money to be received by J. K. Tippet and to be paid to him by the County Commissioners of Hillsborough County, Florida, out of the fine and forfeiture fund of Hillsborough County, Florida, for his duly performing the duties of Official Reporter for the Criminal Court of Record of Hillsborough County, Florida, from the first day of July, 1929, to the first day of July, 1930, continuously, under the provisions of Chapter 13609, Laws of Florida, 1929.

Also—

(Senate Bill No. 623):

An Act to validate, legalize, ratify and confirm an agreement made and entered into by and between the City of Coral Gables, the City of Miami, Miami Water Company and Consumers Water Company relating to and providing the terms and conditions of the supply of water by the City of Miami, through Miami Water Company and Consumers Water Company, to the City of Coral Gables and the inhabitants thereof.

Also—

(Senate Bill No. 625):

An Act providing the manner of selling and disposing of any marsh lands owned by the City of New Smyrna, in Volusia County, Florida.

Also—

(Senate Bill No. 626):

An Act authorizing and empowering the City of New Smyrna in Volusia County, Florida, to borrow money from time to time and to issue negotiable, interest bearing promissory notes to evidence the indebtedness so incurred; fixing a limit on the aggregate amount of said notes to be outstanding at any one time; providing for the form of said notes; designating the purpose for which the money so borrowed shall be used and providing the manner of execution of said notes.

Also—

(Senate Bill No. 630):

An Act authorizing the City of New Smyrna, Volusia County, Florida, to acquire, construct, own and operate a golf course or golf courses, and to charge admission to or rentals or fees for the use or enjoyment thereof and to use any lands now owned by said city and to acquire lands by purchase, lease or condemnation for such golf course or golf courses, and providing a method of financing the same and authorizing the levy of a tax therefor.

Also—

(Senate Bill No. 663):

An Act providing for the publication of ordinances of the City of Port Tampa, Florida, and ratifying and validating ordinances heretofore adopted by the said city and the acts, contracts and things done by the City Council of the City of Port Tampa heretofore.

Also—

(Senate Bill No. 708):

An Act to amend Sections 31, 35 and 43 of an Act passed at the 1931 Session of the Florida Legislature, being Senate Bill No. 512, and approved by the Governor on May 13, 1931, entitled: "An Act regulating all municipal elections held in the City of Tampa, Florida; creating a Board of Elections for the City of Tampa, Florida, to conduct, hold and regulate all municipal elections including primary elections, held in said city; fixing the number of the members of said board and their term of office; naming the members of the First Board and fixing their terms of office; prescribing the qualifications, duties, powers, compensation, and method of election of the members of said board; prescribing the duties, and powers of

said board; providing for and regulating electors and elections in said city; defining political parties in said city; providing for the nomination of all candidates for all elective municipal offices in said city by all political parties in said city; and repealing all laws and all parts of laws in conflict with this Act.

Also—

(Senate Bill No. 715):

An Act relating to Duval County, and transportation across the St. Johns River; concerning toll bridges in said county, and authorizing the County of Duval, in the State of Florida, to issue bonds for the construction of an additional toll bridge across the St. Johns River in said county, approaches and a connecting road leading therefrom, making provisions in reference to tolls, providing for the investment of sinking funds derived from tolls and charges, providing for powers of eminent domain in said county in connection therewith, and for elections, and also prescribing the qualifications of those who shall be permitted to vote in said elections, and other matters in connection with all of the above.

Also—

(Senate Bill No. 767):

An Act relating to and granting certain right, title and interest of the State of Florida in and to certain water front property in the City of Pensacola, Florida.

Also—

(Senate Bill No. 777):

An Act to ratify, validate and confirm certain refunding bonds of the City of Miami heretofore issued or authorized to be issued and to authorize the levy of a tax upon all taxable property within said city for the payment of such bonds and the interest thereon and to repeal all laws and parts thereof inconsistent herewith.

Also—

(Senate Bill No. 786):

An Act validating and confirming the Act of the Board of County Commissioners of Escambia County, Florida, in conveying certain real property owned by Escambia County, Florida, to the Myrtle Grove Woman's Club, a Corporation, and giving the Board of County Commissioners of Escambia County, Florida, power to convey certain property of the county to the Myrtle Grove Woman's Club.

Also—

(Senate Bill No. 787):

An Act to legalize, ratify and confirm all acts, doings and proceedings of the Board of Bond Trustees and County Commissioners of Escambia County had and done relative to the investment of \$45,000.00 of the interest and/or sinking fund created for the payment of interest and/or principal of road and/or bridge bonds issued by said county, in \$45,000.00 of interest bearing coupon time warrants dated February 1, 1930, issued by or on behalf of Special Road and Bridge District No. 8, of Santa Rosa County, and the action of said Board of Bond Trustees in making, and of the Board of County Commissioners in authorizing and approving said investment. Have carefully examined same, and find same correctly enrolled and herewith present the same for the signatures of the President and Secretary of the Senate.

Very Respectfully,

J. W. TURNER,

Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

The bills contained in the above report were thereupon duly signed by the President and Secretary of the Senate in open session, and ordered referred to the Chairman of the Committee on Enrolled Bills on the Part of the Senate to be conveyed to the House for the signatures of the Speaker and Chief Clerk thereof.

REPORTS OF COMMITTEE ON ENGROSSED BILLS

Senator Watson, Chairman of the Committee on Engrossed Bills, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 27, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred (with amendments) after third reading:

Senate Bill No. 334:

A bill to be entitled An Act authorizing the construction and operation of a plant for the production of anti-hog cholera serum and hog cholera virus by the Board of Commissioners of State Institutions under the technical supervision of the State Live Stock Sanitary Board; providing for the location of such plant on State lands at a place to be designated by said Board of Commissioners of State Institutions; providing for furnishing and distributing anti-hog cholera serum and hog cholera virus through the State Live Stock Sanitary Board; providing for the purchase of anti-hog cholera serum and hog cholera virus under certain conditions; providing an appropriation for the erection of such plant and for carrying out the purposes of this Act, and providing for a fund to be known as the serum fund.

Have carefully examined same, and find same correctly engrossed, and return same herewith.

Very respectfully,

J. W. WATSON,

Chairman of Committee.

And Senate Bill No. 334, contained in the above report, was referred to the Committee on Enrolled Bills.

Also—

Senator Watson, Chairman of the Committee on Engrossed Bills, submitted the following report:

Senate Chamber,

Tallahassee, Fla., May 27, 1931.

Hon. Pat Whitaker,

President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred (with amendments) after third reading:

Senate Bill No. 800:

A bill to be entitled An Act to create and incorporate a special taxing district in Volusia County, State of Florida, to be known as New Smyrna Inlet District, etc.

Have carefully examined same, and find same correctly engrossed, and return same herewith.

Very respectfully,

J. W. WATSON,

Chairman of Committee.

And Senate Bill No. 800, contained in the above report, was ordered to be certified to the House of Representatives.

REPORTS OF COMMITTEES

Senator Caro, Chairman of the Committee on Claims, submitted the following report:

Senate Chamber,

Tallahassee, Fla., May 27, 1931.

Hon. Pat Whitaker,

President of the Senate.

Sir:

Your Committee on Claims, to whom was referred:

Senate Bill No. 535:

A bill to be entitled An Act for the relief of Thad Bell, sheriff of Walton County, Florida, and providing appropriation to compensate him for expenses incurred and to be incurred, time lost from his official duties, and injuries sustained, both temporary and permanent, by reason of his having been shot by Buck Qualls while in the discharge of his official duties in his effort to arrest said Buck Qualls in Walton County, Florida.

Senate Bill No. 566:

A bill to be entitled An Act for the relief of W. J. Pierce, an employee of the State Live Stock Sanitary Board, who was injured while in a discharge of his duties as such employee, and without fault or negligence of his part by being struck by a car on the public highway of Baker County, Florida.

Senate Bill No. 762:

A bill to be entitled An Act to provide for the payment of warrant No. 116 and No. 1417 issued by the Comptroller of the State of Florida to John E. Williams, for services rendered to the state as captain of a volunteer company, with the approval of the Governor, in suppressing Indian hostilities in the year 1856, which warrants have been filed with the State Comptroller, and are not in the custody of the State Treasurer.

Have had the same under consideration, and recommend that the same do not pass.

Very respectfully,

HERBERT P. CARO,
Chairman of Committee.

And Senate Bills No.'s 535, 566 and 762, contained in the above report, were placed on the table under the rule.

Also—

Senator Caro, Chairman of the Committee on Claims, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 27, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

Your Committee on Claims, to whom was referred:

Senate Bill No. 868:

A bill to be entitled An Act for the relief of Mrs. Mary Moore by reason of damages sustained and inflicted upon her property by the State Road Department of the State of Florida.

Have had the same under consideration and recommend that same do pass with the following amendments:

In the Title line 12 change three thousand dollars (\$3,000.00) to one thousand dollars (\$1,000.00).

In Section 1, line 4, change three thousand dollars (\$3,000.00) to one thousand dollars (\$1,000.00).

Very respectfully,

HERBERT P. CARO,
Chairman of Committee.

And Senate Bill No. 868, with Committee Amendments, contained in the above report, was placed on the Calendar of Bills on second reading.

Also—

Senator Caro, Chairman of the Committee on Claims, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 27, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

Your Committee on Claims, to whom was referred:

Senate Bill No. 832:

A bill to be entitled An Act for the relief of Louise B. Kennerly, in relation to tax sale certificate 522, Putnam County, Florida, for the tax sale of 1916 for the taxes of 1915; and for the refunding of the moneys paid thereof.

Senate Bill No. 609:

A bill to be entitled An Act for the relief of O. K. Holmes, to compensate him for losses sustained through the theft from the comptroller's office of a warrant in the sum of three hundred (\$300.00) Dollars.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

HERBERT P. CARO,
Chairman of Committee.

And Senate Bills Nos. 832 and 609, contained in the above report, were placed on the Calendar of Bills on second reading.

Also—

Senator Young, Chairman of the Committee on Drainage, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 27, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

Your Committee on Drainage, to whom was referred:

Senate Bill No. 514:

A bill to be entitled An Act relating to Okeechobee Flood Control District; to declare the existence of said district; to validate the creation thereof and declare the boundaries of such district; to create a board of commissioners for said district and to provide for the appointment of the members

thereof and to define the duties and powers of such board; to authorize the establishment and construction, maintenance and operation of a system of canals, levees, dams, locks and reservoirs, and improvement of natural waterways, to control and regulate the waters of Lake Okeechobee and Caloosahatchee River and vicinity and to prevent the overflow thereof and protect and preserve life and property; to provide for the co-operation of the said board with the Federal Government or agencies thereof; to levy assessments of taxes upon land and other property embraced in said district and to provide for the collection of the same and to enforce the collection thereof; validating all taxes heretofore levied by Board of Commissioners of Okeechobee Flood Control District and all contracts made by said board; to authorize the board of commissioners of said district to borrow money and to issue notes and bonds and to dispose of the same to procure money to carry out the provisions of this act.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

A. W. YOUNG,
Chairman of Committee.

And Senate Bill No. 514, contained in the above report, was placed on the Calendar of Bills on second reading.

Also—

Senator Parker, Chairman of the Committee on Motor Vehicles, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 27, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

Your Committee on Motor Vehicles, to whom was referred:

Senate Bill No. 763:

A bill to be entitled An Act requiring motor vehicles on the public highways, roads, streets, and thoroughfares of the State of Florida to be equipped with reflectors, and providing penalty for the violation of same.

Have had the same under consideration, and recommend that the same do not pass.

Very respectfully,

F. P. PARKER,
Chairman of Committee.

And Senate Bill No. 763, contained in the above report, was placed on the table under the rule.

Also—

Senator English, Chairman of the Committee on Judiciary "C," submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 27, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

Your Committee on Judiciary "C," to whom was referred:

Senate Bill No. 874:

A bill to be entitled An Act to provide for the inspection and filing of analyses of lubricating oils; to empower the Commissioner of Agriculture to define methods of analysis and promulgate regulations; to authorize the collection of an inspection fee; to declare a rule of prima facie evidence; to prevent fraud or misrepresentation in the distribution or sale of lubricating oil; to provide for methods of enforcement of this act and penalties for the violation thereof.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

BERNARD H. ENGLISH,
Chairman of Committee.

And Senate Bill No. 874, contained in the above report, was placed on the Calendar of Bills on second reading.

Also—

Senator Hilburn, Chairman of the Committee on Forestry, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 27, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

Your Committee on Forestry, to whom was referred:

Senate Bill No. 768:

A bill to be entitled An Act to designate the Florida Board of Forestry as Cooperative Agent of the State of Florida to co-operate with the United States Secretary of Agriculture in certain farm forestry extension work.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

S. J. HILBURN,
Chairman of Committee.

And Senate Bill No. 768, contained in the above report, was placed on the Calendar of Bills on second reading.

Also—
Senator Hilburn, Chairman of the Committee on Forestry, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 27, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

Your Committee on Forestry, to whom was referred:

Senate Bill No. 769:

A bill to be entitled An Act to provide for the formation, financing, management, and dissolution of County forest fire control districts, for systematic protection, care and management of forests and forest lands in counties, and for the levy and collection of taxes in such districts to defray the district's share of the expenses thereof.

Have had the same under consideration, and recommend that the same do not pass.

Very respectfully,

S. J. HILBURN,
Chairman of Committee.

And Senate Bill No. 769, contained in the above report, was placed on the table under the rule.

By permission the following bills were introduced:

By Senator Irby—
Senate Bill No. 877:

A bill to be entitled An Act authorizing the City of Brooksville, Florida, to purchase or acquire electric lights and power and other public utility plant; to purchase or acquire machinery, equipment, and all other things necessary to maintain and operate such plant and pay or authorize payment therefor by a pledge of the net profits arising from the operation of such plants and authorizing the making of appropriate contracts, franchises and grants.

Which was read the first time by its title only.

Senator Irby moved that the rules be waived and Senate Bill No. 877 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 877 was read a second time by its title only.

Senator Irby moved that the rules be further waived and Senate Bill No. 877 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 877 was read a third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Anderson, Andrews, Bell, Bradshaw, Butler, Caro, Chowning, Clarke, Council, Dell, English, Futch, Gary, Getzen, Gomez, Harris, Harrison, Hilburn, Hinely, Hodges, Howell, Irby, Johns, King, Knabb, Lewis, Neel, Parker, Parrish, Stewart, Swearingen, Taylor, Turner, Wagg, Watson, Young—38.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives under the rule.

By Senator Irby—
Senate Bill No. 878:

A bill to be entitled An Act to amend Section 6, Chapter 9719, Laws of 1923, describing the territorial limits of the Town of Crystal River, Florida, and authorizing the town council to adjust the delinquent taxes on certain property removed from the limits.

Which was read the first time by its title only.

Senator Irby moved that the rules be waived and Senate Bill No. 879 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 878 was read a second time by its title only.

Senator Irby moved that the rules be further waived and Senate Bill No. 878 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 878 was read a third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Anderson, Andrews, Bell, Bradshaw, Butler, Caro, Chowning, Clarke, Council, Dell, English, Futch, Gary, Getzen, Gomez, Harris, Harrison, Hilburn, Hinely, Hodges, Howell, Irby, Johns, King, Knabb, Lewis, Neel, Parker, Parrish, Stewart, Swearingen, Taylor, Turner, Wagg, Watson, Young—38.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives under the rule.

By Senator Getzen—

Senate Bill No. 879:

A bill to be entitled An Act to repeal all laws or parts of laws requiring any and all candidates for members of the board of county commissioners in counties having a population of between 7,916 and 8,000 according to the State census of 1925 from being nominated to such office as county commissioners of such counties from the county at large.

Which was read the first time by its title only and placed on the Calendar of Local Bills on second reading.

By Senator Irby—

Senate Bill No. 880:

A bill to be entitled An Act prescribing the time and manner in which the assessment rolls of the county shall be examined and approved by the State auditor and the Board of State Tax Commissioners relating to the duties of the clerk of the board of county commissioners as to the making and transmitting copies of the same to the auditor and tax collector; providing that the assessor and members of the board of county commissioners shall not receive pay for this service until said tax rolls have been approved, except under certain conditions; creating the Board of State Tax Commissioners; prescribing the manner of their appointment, qualifications, duties and compensation; also creating equalizing districts from which tax commissioners shall be appointed, authorizing and empowering them to correct and equalize the assessments on the various county rolls; providing for the appointment of boards of arbiters or witnesses in case the board of county commissioners are dissatisfied with recommendation and corrections of the Board of State Tax Commissioners; requiring the Board of State Tax Commissioners to visit the various counties of the State and make reports to the Governor and prohibiting corresponding advances on real estate of assessment values immediately following periods of speculation of such property under prescribed conditions, and for other purposes.

Which was read the first time by its title only and referred to the Committee on Judiciary "A".

By Senator Caro—

Senate Bill No. 881:

A bill to be entitled An Act regulating the employment of persons upon public works in the State of Florida, and giving preference to citizens of the State of Florida.

Which was read the first time by its title only and referred to the Committee on Organized Labor.

By Senators Turner and Dell—

Senate Bill No. 882:

A bill to be entitled An Act determining the Counties of the State of Florida which shall constitute the Eighth Judicial Circuit of Florida; providing for two Judges in said Eighth Judicial Circuit; providing for the appointment of a State Attorney and fixing the time of holding the regular terms of the Circuit Court of said circuit, and providing for the seniority of the Judges thereof.

Which was read the first time by its title only.

Senator Dell moved that the rules be waived and Senate Bill No. 882 be placed on the Calendar of Bills on second reading without reference.

Which was agreed to by a two-thirds vote.

And it was so ordered.

By Senator Hodges—
Senate Bill No. 883:

A bill to be entitled An Act to authorize E. H. Alford, J. F. Cochran, Jr. and T. S. Green, as road bond trustees of Leon County, Florida, to transfer, turn over and deliver the unexpended net balance of the proceeds of an issue of road bonds of said county, dated July 1, 1925, to the administration board of the State of Florida and to authorize the State Administration Board of the State of Florida to advance out of such funds to the State Road Department of the State of Florida not to exceed \$40,000 to finance the construction of a certain bridge over the Ocklocknee River on Road No. 19 between Leon and Liberty Counties and providing for the repayment thereof and providing for the administration of the balance of said funds.

Which was read the first time by its title only.

Senator Hodges moved that the rules be waived and Senate Bill No. 883 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 883 was read a second time by its title only.

Senator Hodges moved that the rules be further waived and Senate Bill No. 883 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 883 was read a third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr President; Senators Adams, Anderson, Andrews, Bell, Bradshaw, Butler, Caro, Chowling, Clarke, Council, Dell, English, Futch, Gary, Getzen, Gomez, Harris, Harrison, Hilburn, Hinely, Hodges, Howell, Irby, Johns, King, Knabb, Lewis, Neel, Parker, Parrish, Stewart, Swearingen, Taylor, Turner, Wagg, Watson, Young—38.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives under the rule.

By Senator Hodges—
Senate Bill No. 884:

A bill to be entitled An Act relocating, and declaring, designating and establishing State Road Number 107.

Which was read the first time by its title only and referred to the Committee on Public Roads and Highways.

By Senator Whitaker—
Senate Bill No. 885:

A bill to be entitled An Act to empower the county commissioners of Hillsborough County, Florida, to make an appropriation for the erection of a Spanish-American War Memorial Building in Tampa, Florida, not to exceed twelve thousand, five hundred dollars.

Which was read the first time by its title only.

The following proof of publication was attached to Senate Bill No. 885 when it was introduced in the Senate:

NOTICE

Notice is hereby given of intention to apply, and that application will be made to the Legislature of the State of Florida at the regular session to be held A. D. 1931, for the passage of a local or special bill, the substance thereof being as follows, to-wit:

An Act to empower the Commissioners of Hillsborough County, Florida, to make an appropriation for the erection of a Spanish War Memorial Building in Tampa, Florida, not to exceed Twelve Thousand Five Hundred Dollars.

Dated this 1st day of May, A. D. 1931.

W. T. WILLIAMS,
Chairman Board of County Commissioners,
Hillsborough County.

(5)-2-9-16-23-4t

AFFIDAVIT OF PROOF OF PUBLICATION

STATE OF FLORIDA,
COUNTY OF HILLSBOROUGH.

Before me, the undersigned, a Notary Public, this day personally came J. S. Mims, who, being first duly sworn, according to law, says that he is the General Manager of The Tampa Morning Tribune, a daily newspaper published at Tampa in said County and State and that the publication, of which the annexed is a true copy, was published in said paper in its issues of May 2nd and 9th, 1931.

J. S. MIMS.

Subscribed and sworn before me this 14th day of May, 1931.
(SEAL) BETSY L. LANDERS,

Notary Public for the State of Florida at Large.

My commission expires January 27, 1934.

Senator Harris moved that the rules be waived and Senate Bill No. 885 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 885 was read a second time by its title only.

Senator Harris moved that the rules be further waived and Senate Bill No. 885 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 885 was read a third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Anderson, Andrews, Bell, Bradshaw, Butler, Caro, Chowning, Clarke, Council, Dell, English, Futch, Gary, Getzen, Gomez, Harris, Harrison, Hilburn, Hinely, Hodges, Howell, Irby, Johns, King, Knabb, Lewis, Neel, Parker, Parrish, Stewart, Swearingen, Taylor, Turner, Wagg, Watson, Young—38.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives under the rule.

By Senator Whitaker—

Senate Bill No. 886:

A bill to be entitled An Act to empower the Board of Representatives of the City of Tampa to make an appropriation for the erection of a Spanish American War Memorial Building in Tampa, Florida, not to exceed the sum of Twelve Thousand Five Hundred Dollars.

Which was read the first time by its title only.

The following proof of publication was attached to Senate Bill No. 886 when it was introduced in the Senate:

NOTICE

Notice is hereby given of intention to apply and that application will be made to the Legislature of the State of Florida at the regular session to be held A. D. 1931 for the enactment of a local or special bill enabling the City Representatives of the City of Tampa to appropriate the sum of Twelve Thousand Five Hundred Dollars for the purpose of erecting and furnishing a Spanish-American War Memorial building in the City of Tampa, Florida.

Date this first day of May, A. D. 1931.

HENRY C. ASHMEAD, Secretary,
Board of Trustees, Dept. of Florida, U. S. W. V.

May 2.

AFFIDAVIT OF PROOF OF PUBLICATION

STATE OF FLORIDA,
COUNTY OF HILLSBOROUGH.

Personally appears John N. Harrison, who on oath states that he is Editor of The Free Press, a weekly newspaper of general circulation, published in the City of Tampa, above County and State, by The Free Press Publishing Company, Inc., and that the advertisement, copy of which is hereto attached, was duly published in said paper in the issues of May 2, 9, 16, 23, 1931, this 23rd day of May, 1931.

JOHN N. HARRISON.

Sworn to and subscribed before me this 3rd day of May, 1931.
(SEAL) B. S. BROWN,

Notary Public, State of Florida at Large.
My commission expires October 21, 1933.

Senator Harris moved that the rules be waived and Senate Bill No. 886 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 886 was read a second time by its title only.

Senator Harris moved that the rules be further waived and Senate Bill No. 886 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 886 was read a third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Anderson, Andrews, Bell, Bradshaw, Butler, Caro, Chowning, Clarke, Council, Dell, English, Futch, Gary, Getzen, Gomez, Harris, Harrison, Hil-

burn, Hinely, Hodges, Howell, Irby, Johns, King, Knabb, Lewis, Neel, Parker, Parrish, Stewart, Swearingen, Taylor, Turner, Wagg, Watson, Young—38.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives under the rule.

Senator Harrison moved that the Senate do reconsider the vote by which Senate Bill No. 413 failed to pass the Senate. Which went over under the rule.

The consideration of Senate Bill No. 151:

A bill to be entitled An Act declaring, designating and establishing State Road Number twenty-three, and to provide for the construction in such system of highways.

Which was pending at the hour of recess on this morning, was resumed.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Andrews, Bell, Bradshaw, Caro, Dell, English, Futch, Getzen, Gomez, Harrison, Hodges, Irby, Johns, Lewis, Neel, Stewart, Wagg, Watson—19.

Nays—Senators Adams, Anderson, Butler, Harris, Hilburn, Howell, Knabb, Turner—8.

Senator Neel offered the following explanation of his vote on the passage of Senate Bill No. 151:

I vote "aye" on this measure because the bill provides that the money spent on this road is to be taken from that part allocated to the First Congressional District for new construction and seven of the eight Senators from said District have agreed to such distribution.

RAY NEEL,
Senator Third District.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives immediately, the rule having been waived.

Senate Bill No. 564:

A bill to be entitled An Act for the relief of Roy Booth, Sheriff of Pinellas County, Florida, for loss of salary and fees.

Was taken up in its order and read a third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Bell, Dell, Harris, Hodges, King, Knabb, Parrish, Wagg, Young—10.

Nays—Senators Adams, Anderson, Andrews, Bradshaw, Butler, Chowning, Clarke, Council, English, Futch, Getzen, Gomez, Hilburn, Hinely, Howell, Irby, Johns, Lewis, Neel, Parker, Stewart, Taylor, Turner, Watson—24.

So the bill failed to pass.

Senator Hodges moved that the rules be waived and the Senate do now take up the consideration of Messages from the House of Representatives.

Which was not agreed to.

Senate Bill No. 801:

A bill to be entitled An Act relating to taxation, levying and imposing an excise tax on gasoline and other like products of petroleum in addition to other taxes thereon; levying and imposing a license tax on every dealer in gasoline or any other like product of petroleum; providing for the report of sale of such commodities and the collection and payment of such taxes; creating special funds for the reception of such taxes; providing the purposes of such taxes and for the deposit, appropriation and disposition of the proceeds derived from such taxes, and prescribing the duties of certain officials with reference thereto; and declaring certain roads to have been and to be built for State purposes and as being State undertakings; repealing Chapter 14575 Laws of Florida, Acts of 1929; repealing Section 1 of Chapter 14573 Acts of 1929 and all laws in conflict with this Act; providing for the enforcement of this Act and penalties for violation hereof.

Which was a Special and Continuing Order pursuant to Senate Resolution No. 32, was taken up and read a third time in full.

Senator Adams asked unanimous consent to offer the following amendment to Senate Bill No. 801, now on third reading:

After Section 8, (typewritten bill), add "Provided nothing herein shall be construed to interfere with the 1 2-3 cents of gasoline tax heretofore allocated to the Public Schools, College; and Universities of the State of Florida. The said 1 2-3 cents of gasoline tax for schools shall remain the same as to collection and allocated."

Senator Getzen objected to the amendment being offered on third reading and Senator Adams was not permitted to offer the amendment.

Pending the consideration of the passage of Senate Bill No. 801, the hour of adjournment having arrived a point of order was called and the Senate stood adjourned at 5:00 o'clock P. M., until 11:00 o'clock A. M., Thursday, May 28, 1931.